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In re Application of	:	
SODE et al.	:	
Application No.: 10/526,049	:	NOTIFICATION
PCT No.: PCT/JP2003/010541	:	
Int. Filing Date: 20 August 2003	:	
Priority Date: 30 August 2002	:	
Attorney Docket No.: 10921.0287USWO	:	
For: PROCESS FOR PRODUCING	:	
GLUCOSE DEHYDROGENASES	:	

This notification is in response to applicants' submission filed 02 November 2006 which includes a declaration of inventors and a statement attesting to the accuracy of the translation of the declaration.

BACKGROUND

On 20 August 2003, applicants filed international application PCT/JP2003/010541, which designated the United States and claimed a priority date of 30 August 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 11 March 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 28 February 2005.

On 28 February 2005, applicants filed, *inter alia*, a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and an unexecuted declaration of inventors.

On 13 September 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge under 37 CFR 1.492(h) were required. The Notification set a two-month extendable period for reply.

On 21 July 2006, the DO/EO/US mailed a NOTIFICATION OF ABANDONMENT (Form PCT/DE/EO/909) indicating that the application was abandoned as to the United States of America for failure to reply to the NOTIFICATION OF MISSING REQUIREMENTS mailed 13 September 2005.

On 21 August 2006, applicants filed a "REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT". The petition was accompanied by, *inter alia*, a copy of a "COMMUNICATION REGARDING MISSING REQUIREMENTS", a copy of a declaration of inventors, and a copy of an "Auto-Reply Facsimile Transmission" from the USPTO dated 28 September 2005. The petition requested that the copy of the declaration of inventors filed 21 August 2006 be accepted as having been originally received in the USPTO on 28 September 2005.

On 05 October 2006, a decision was mailed granting applicants' petition under 37 CFR 1.181 and vacating the NOTIFICATION OF ABANDONMENT mailed 21 July 2006. The decision also noted that the declaration of inventors filed 28 September 2005 was not in compliance with 37 CFR 1.69(b) and that a pre-approved foreign language declaration in compliance with 37 CFR 1.497(a)-(b) or the requisite statement under 37 CFR 1.69(b) that the translation is accurate was required.

On 02 November 2006, applicants filed the instant submission which includes a declaration of inventors and a statement attesting to the accuracy of the translation of the declaration.

DISCUSSION

The statement by Tatsuya Tanaka included with the instant submission satisfies 37 CFR 1.69(b). The declaration included with the instant submission is a copy of the declaration of inventors filed 28 September 2005.

CONCLUSION

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including the accordation of a 35 U.S.C. §§371(c)(1), (c)(2), and (c)(4) date of **28 September 2005**.


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Legal Examiner

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